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PATENT
Docket Number TKS-001
Page 1 of 11

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

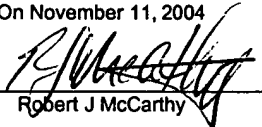
APPLICANT: McCarthy, Robert J
APPLICATION NUMBER: 10/604,451 ART UNIT: 3662
FILING DATE 07/22/2003
EXAMINER: MULL, Fred H.
TITLE: System, Method, and Product for Derivative-Based Wagering Racing Application

Assistant Commissioner for Patents
Washington, DC 20231

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to:

Commissioner of Patents and Trademarks
Washington, D.C. 20231

On November 11, 2004


Robert J McCarthy

AMENDMENT AND RESPONSE

Dear Sir:

This paper is submitted in response to the Office Action mailed from the U.S. Patent Office on October 28, 2004, and in reference to the related prior Office Action dated April 04, 2004.

Please amend this application as indicated below and consider the remarks that follow. New formatting changes are included consistent with 37 CFR 1.111, as indicated in the October 28 Office Action. Specifically, this response is identical to the prior response filed October 06, 2004, with the specified formatting changes for the cancelled claims 1-3, 11, and 13.

Upon review and examination of the Office Action dated April 04, 2004, and addressing the additional items of the subsequent Office Action dated October 28, 2004, without adding any new matter to the original specification, I hereby respectfully request reconsideration and withdrawal of the objections and rejections made in the office action based on the proposed amendments and remarks included herein.

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